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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/658,770

09/11/2000

Frank J. McConnell

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04/05/2010

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC

1420 FIFTH AVENUE

SUITE 2800

SEATTLE, WA 98101-2347

EXAMINER

PASS, NATALIE

ART UNIT

PAPER NUMBER

3686

MAIL DATE

DELIVERY MODE

04/05/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

OFFICE ACTION

Termination of Proceedings in Response to Board Decision on Appeal

1. The period under 37 CFR 1.304 for seeking court review of the decision rendered by the Board of Patent Appeals and Interferences on January 20, 2010 has expired and no further action has been taken by appellant. The proceedings as to rejected claims 1 and 3-7 are considered terminated. See 37 CFR 1.197(b).

Disposition of Incomplete Dependent Claims

2. Claim 19 is objected to as incomplete because the rejected claim(s) on which it depends has/have been cancelled by the examiner in accordance with MPEP §1214.06. Applicant is given a **ONE (1) MONTH TIME LIMIT** from the mailing date of this letter in which to present dependent claim 19 in independent form, including all of the limitations of the base claim and any intervening claim(s). Moreover, should Applicant choose to present claim 19 in independent form, Applicant is advised to include words designating the computer-readable medium as being non-transitory, in order to comply with current practice regarding statutory subject matter.

NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED.

Failure to comply with this deadline will result in cancellation of claim 19, and the application will be passed to issue with allowed claims 8 and 10-18, as per the decision rendered by the Board of Patent Appeals and Interferences on January 20, 2010. See MPEP § 1214.06(II)(B). Prosecution is otherwise closed.

Conclusion

3. Any inquiry concerning this communication, or earlier communications, should be directed to the examiner, **Natalie Pass**, whose telephone number is **(571) 272-6774**, and whose facsimile number is (571) 273-6774. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry O'Connor can be reached on (571) 272-6787.

Official replies to this Office action may now be submitted electronically by registered users of the EFS-Web system. Information on EFS-Web tools is available on the Internet at: <http://www.uspto.gov/ebc/portal/tools.htm>. An EFS-Web Quick-Start Guide is available at: <http://www.uspto.gov/ebc/portal/efs/quick-start.pdf>.

Alternatively, official replies to this Office action may still be submitted by any **one** of fax, mail, or hand delivery. **Faxed replies should be directed to the central fax at (571) 273-8300.** Mailed replies should be addressed to "Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450." Hand delivered replies should be delivered to the "Customer Service Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314."

/Natalie A. Pass/
Examiner, Art Unit 3686
March 31, 2010

/Gerald J. O'Connor/
Supervisory Patent Examiner
Group Art Unit 3686